

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-4 are pending in the present application. No claims are amended, added, or canceled by the present response.

In the outstanding Office Action, Claims 1 and 3 were rejected under 35 U.S.C. § 102(b) as anticipated by Kelton et al. (U.S. Patent No. 5,926,503, herein "Kelton"), and Claims 2 and 4 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kelton in view of Madhow et al. (U.S. Patent No. 6,175,587, herein "Madhow"), both rejections being respectfully traversed for the following reasons.

Briefly recapitulating, independent Claim 1 is directed to a receiving apparatus that includes a rake reception section, a plurality of correlation integrators, and a path searcher. The rake reception section combines and outputs a plurality of reception signals obtained by different transmission paths. The path searcher searches for the plurality of reception signals based on a correlative integration value calculated by a correlation integrator with respect to a reception signal. The path searcher divides the plurality of correlation integrators into groups in correspondence with the number of base stations to communicate with, assigns a base station to each of the groups, and controls the correlation integrators in each group.

Independent Claim 3 recites similar features as Claim 1.

In a non-limiting example, Figure 1 shows the rake reception section 6 and the path searcher 5. In another non-limiting example, Figure 2 shows the plurality of correlation integrators 18a-18h being divided into two groups 18a-18d and 18e-18h that correspond to two base stations.

Turning to the applied art, Kelton discloses a CDMA receiver having a first antenna 130 and a second antenna 132, both antennas receiving a signal from a same base station 102.

The signals received from both antennas 130 and 132 are combined by a summer 148 and are provided to a rake receiver 112.

The outstanding Office Action takes the position that Figure 2 of Kelton shows that each finger 122 has two integrators 211 and 212, and the searcher 114 divides the integrators 211 and 212 into two groups corresponding to the two antennas 130 and 132.

However, Applicant notes that the searcher 114 of Kelton does not divide the integrators 211 and 212 into groups corresponding to the number of base stations, for at least two reasons.

First, Kelton shows in Figure 2 that each finger has *only* two integrators 211 and 212. Kelton is silent about having more than two integrators. Thus, for a receiving apparatus that is surrounded by four base stations for example, it is not clear how the two integrators 211 and 212 are divided into four groups corresponding to the four base stations. Therefore, Kelton does not intend to divide the integrators into groups based on external base stations as asserted by the outstanding Office Action.

Second, it is noted that Kelton discloses at column 4, lines 20-25, that the searcher 114 only provides a delay value to the finger 122 at an input 220. However, Kelton does not teach or suggest dividing a plurality of integrators into groups in correspondence with the number of base stations.

In addition, Applicant notes that the antennas 130 and 132 of the mobile station 104 in Kelton do not correspond to the claimed base stations, which are external to the receiving apparatus. However, assuming *arguendo* that Kelton divides the integrators 211 and 212 based on the antennas 130 and 132 (which are internal to the receiving apparatus 104), that division in itself is different from the claimed division based on external base stations.

Furthermore, Applicant respectfully submits that Kelton is silent about assigning a base station to each of the groups of integrators as required by independent Claims 1 and 3.

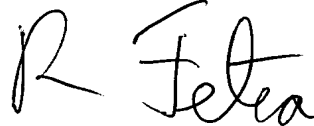
The Office Action relies on Madhow for teaching a process of soft hand-over. However, Madhow does not cure the deficiencies of Kelton discussed above with regard to independent Claims 1 and 3.

Accordingly, it is respectfully submitted that independent Claims 1 and 3 and each of the claims depending therefrom patentably distinguish over Kelton and Madhow, either alone or in combination.

Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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